

Form 02 - SUITABLE AGE

AETNA CENTRAL JUDICIAL SERVICES

LAW OFFICE OF JOHN A DALLEY

ATTN:

U.S.SOUTHERN DIST. COURT NEW YORK COUNTY

POWER JAMB, LLC, ETANO

plaintiff

- against -

THE CITY OF NEW YORK, ETAL

defendant

Index No. 08 CV 0431

Date Filed

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:
SHAWN D. FORBES being duly sworn, deposes and says; I am over 18 years of age,
 not a party to this action, and reside in the State of New York. That on the
 24th day of January, 2008 11:41 AM at
 %NYC FIRE DEPT.9 METRO TECH
 BROOKLYN, NY

I served the **SUMMONS AND VERIFIED COMPLAINT**
 upon **CAPTAIN ROBERT HIGGINS**
 the **DEFENDANT** therein named by delivering and leaving a true copy or copies
 of the aforementioned documents with

WILLIAM WALLACE--LEGAL CLERK AUTHORIZED TO ACCEPT

a person of suitable age and discretion.

Deponent describes the person served as aforesaid to the best of deponent's ability
 at the time and circumstances of the service as follows:

SEX: **MALE** COLOR: **BROWN** HAIR: **BLACK** AGE: **57** HEIGHT: **5:7** WEIGHT: **230**
 OTHER IDENTIFYING FEATURES: **MUSTACHE**

On **01/30/2008** I deposited in the United States mail a true copy of the aforementioned
 documents properly enclosed and sealed in a post-paid wrapper addressed to the said
DEFENDANT at the above address. That address being
actual place of employment of the DEFENDANT.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside
 thereof, by return address or otherwise that said notice is from an attorney or concerns
 action against the person to be served.

That at the time of service as aforesaid, I asked person spoken to whether **DEFENDANT**
 was in the military service of the State of New York or United States and received a negative
 reply. Upon information and belief based upon the conversation and observation as aforesaid
 I aver that the **DEFENDANT** is not in the military service, and is not dependent on anyone
 in the military service of the State of New York or the United States as that term is defined
 in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this
 31st day of January, 2008i

KENNETH WISSNER
 Notary Public, State of New York
 No.01WI4714130
 Qualified in NEW YORK COUNTY
 Commission Expires 03/30/2010

Shawn D. Forbes
 SHAWN D. FORBES 1002608
 AETNA CENTRAL JUDICIAL SERVICES
 225 BROADWAY, SUITE 1802
 NEW YORK, NY, 10007
 Reference No: 3JAD107628